

25 Jan 99

CEHR-E /CECW-O (690-500)

MEMORANDUM FOR COMMANDERS, MAJOR SUBORDINATE COMMANDS

SUBJECT: Job Description for Major Subordinate Command (MSC) Appeal Review Officer (RO)

1. Draft regulations 33 CFR Parts 320, 326 and 331 provide for the establishment and administration of an appeal process for the U.S. Army Corps of Engineers (USACE) Regulatory Program. The USACE has established an appeals process that provides for MSC commander review of district commander permit denials and permit conditions that are judged by applicants to be inappropriate or impracticable. To facilitate MSC review, we have established the RO position to be located in MSC offices. The MSC appeals RO position will be responsible for developing a recommended action for the MSC commander, and thus must have extensive knowledge of and experience with the Corps Regulatory Program.
2. Enclosed are standard job descriptions with supporting evaluation statements for a GS-13 MSC RO. One job description covers the following occupations: Geographer, GS-150; Biologist, GS-401; Ecologist, GS-408; Soil Scientist, GS-470; Civil Engineer, GS-810; Environmental Engineer, GS-819; and Physical Scientist, GS-1301. The other job description is for a position classified as Environmental Protection Specialist, GS-028.
3. The Regulatory Program appropriation, the funding source for these positions, will provide for one RO per MSC office. The MSCs should establish and recruit for these positions as described and classified to ensure proper emphasis is given to conduct the full review and evaluation of administrative appeals of district commanders' permit decisions. Supervisors are responsible for ensuring duties are actually assigned and performed. Current MSC Regulatory Program Manager positions, funded from the General Expense appropriation, should be maintained as separate and distinct positions from the RO positions as they are essential for effective day-to-day management of the Corps Regulatory Program. In addition, as the draft

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regulations indicate, ROs should not be involved with cases that may be appealed. Therefore, Regulatory Program Managers must be involved with these cases, to the extent necessary, up to the district commander's first permit decision.

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Encls

JOE N. BALLARD  
Lieutenant General, USA  
Commanding

CF:  
MSC HROs  
CPOCs  
MSC Regulators

